

Docket No. 245450US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Masami TOMITA, et al.

SERIAL NUMBER: 10/712,026

ATTN: APPLICATION BRANCH

FILING DATE: November 14, 2003

FOR: DRY TONER, AND PROCESS CARTRIDGE, IMAGE FORMING PROCESS AND
APPARATUS USING THE SAME

FILING OF DECLARATION UNDER 37 CFR 1.53(f)

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Responsive to the notification dated February 9, 2004, and in accordance with the provisions of 37 CFR 1.53(f), Applicants submit herewith a Rule 63 Declaration. The required fee was paid at the time of filing the application.

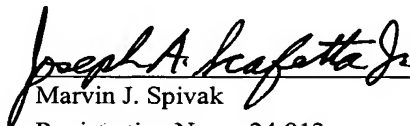
The Declaration enclosed herewith, attached to the specification, is believed to adequately identify the above-identified application in accordance with 37 CFR 1.63, as set forth in MPEP Section 601.01.

The undersigned hereby states that the specification to which the Declaration is attached is a true copy of the specification, and any amendments thereto, as originally filed in the Patent Office in order to obtain a filing date.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


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Declaration and Power of Attorney For Patent Application

特許出願宣言書及び委任状

Japanese Language Declaration

日本語宣言書

下記の氏名の発明者として、私は以下の通り宣言します。

As a below named inventor, I hereby declare that:

私の住所、郵便の宛先、国籍は下記の私の氏名の後に記載された通りです。

My residence, mailing address and citizenship are as stated next to my name.

下記の名称の発明に関して請求範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者（下記の氏名が一つの場合）もしくは最初かつ共同発明者（下記の名称が複数の場合）であると信じています。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled.

**DRY TONER, AND PROCESS CARTRIDGE,
IMAGE FORMING PROCESS AND
APPARATUS USING THE SAME**

上記発明の明細書は、

the specification of which

☐ 本書に添付されています。

☒ is attached hereto.

☐ ____ 月 ____ 日に提出され、米国出願番号または特許協定条約国際出願番号を

☐ was filed on _____
as United States Application Number or PCT
International Application Number

____ とし、

_____ and was amended on

(該当する場合) _____ に訂正されました。

_____ (if applicable)

私は、特許請求範囲を含む上記訂正後の明細書を検討し、内容を理解していることをここに表明します。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第 37 編第 1 条 56 項に定義されたとおり、特許資格の有無について重要な情報を開示する義務があることを認めます。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

Japanese Language Declaration (日本語宣言書)

私は、米国法典第 35 編 119 条(a) – (d)項又は 365 条 (b) 項に基づき下記の、米国以外の国の少なくとも一カ国を指定している特許協力条約 365(a)項に基づく国際出願、又は外国での特許出願もしくは発明者証の出願についての外国優先権をここに主張するとともに、優先権を主張している、本出願の前に出願された特許または発明者証の外国出願を以下に、枠内をマークすることで、示しています。

Prior Foreign Application(s)
外国での先行出願

| | |
|-------------|-----------|
| 2002-335449 | Japan |
| (Number) | (Country) |
| (番号) | (国名) |
| 2003-100049 | Japan |
| (Number) | (Country) |
| (番号) | (国名) |
| 2003-287584 | Japan |
| (Number) | (Country) |
| (番号) | (国名) |
| (Number) | (Country) |
| (番号) | (国名) |

私は、第 35 編米国法典 119 条 (e) 項に基づいて下記の米国特許出願規定に記載された権利をここに主張いたします。

| | |
|-------------------|---------------|
| (Application No.) | (Filing Date) |
| (出願番号) | (出願日) |

私は、下記の米国法典第 35 編 120 条に基づいて下記の米国特許出願に記載された権利、又は米国を指定している特許協力条約 365 条 (c) に基づく権利をここに主張します。また、本出願の各請求範囲の内容が米国法典第 35 編 112 条第 1 項又は特許協力条約で規定された方法で先行する米国特許出願に開示されていない限り、その先行米国出願書提出日以降で本出願書の日本国内または特許協力条約国際提出日までの期間中に入手された、連邦規則法典第 37 編 1 条 56 項で定義された特許資格の有無に関する重要な情報について開示義務があることを認識しています。

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|-------------------|---------------|
| (Application No.) | (Filing Date) |
| (出願番号) | (出願日) |

私は、私自身の知識に基づいて本宣言書中で私が行なう表明が真実であり、かつ私の入手した情報と私の信じているところに基づく表明が全て真実であると信じていること、さらに故意になされた虚偽の表明及びそれと同等の行為は米国法典第 18 編第 1001 条に基づき、罰金または拘禁、もしくはその両方により処罰されること、そしてそのような故意による虚偽の声明を行なえば、出願した、又は既に許可された特許の有効性が失われることを認識し、よってここに上記のごとく宣誓を致します。

I hereby claim foreign priority under Title 35, United States Code, § 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Priority Claimed
優先権主張

| | | |
|------------------------|--|-----|
| 19/ November /2002 | <input checked="" type="checkbox"/> <input type="checkbox"/> | |
| (Day/Month/Year Filed) | Yes | No |
| (出願年月日) | はい | いいえ |
| 3/ April /2003 | <input checked="" type="checkbox"/> <input type="checkbox"/> | |
| (Day/Month/Year Filed) | Yes | No |
| (出願年月日) | はい | いいえ |
| 6/ August /2003 | <input checked="" type="checkbox"/> <input type="checkbox"/> | |
| (Day/Month/Year Filed) | Yes | No |
| (出願年月日) | はい | いいえ |
| (Day/Month/Year Filed) | <input type="checkbox"/> <input type="checkbox"/> | |
| (出願年月日) | Yes | No |
| | はい | いいえ |

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

| | |
|-------------------|---------------|
| (Application No.) | (Filing Date) |
| (出願番号) | (出願日) |

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

| |
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| (Status: Patented, Pending, Abandoned) |
| (現況: 特許許可済、係属中、放棄済) |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Japanese Language Declaration (日本語宣言書)

委任状：私は下記の発明者として、本出願に関する一切の手続きを米特許商標局に対して遂行する弁理士または代理人として、下記の者を指名いたします。
(弁護士、または代理人の指名及び登録番号を明記のこと)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: (list name and registration number)



022850

類送付先

Send Correspondence to:



022850

直接電話連絡先：(名前及び電話番号)

Direct Telephone calls to: (name and telephone number)

(703) 413-3000

| | |
|---------------------|--|
| 単独発明者または第一の共同発明者の氏名 | Full name of sole or first inventor Masami Tomita |
| 発明者の署名 | Inventor's signature <i>Masami Tomita</i> |
| 日付 | Date <i>December 3, 2003</i> |
| 住所 | Residence Shizuoka, Japan |
| 国籍 | Citizenship Japanese |
| 郵便の宛先 | Mailing Address Pasco Grand Mansion Shin-Numazu 302, 19-1, Shinjuku-cho, Numazu-shi, Shizuoka, Japan |

| | |
|-------------|---|
| 第二の共同発明者の氏名 | Full name of second joint inventor, if any Fumihiko Sasaki |
| 第二の共同発明者の署名 | Second inventor's signature <i>Fumihiko Sasaki</i> |
| 日付 | Date <i>December 3, 2003</i> |
| 住所 | Residence Shizuoka, Japan |
| 国籍 | Citizenship Japanese |
| 郵便の宛先 | Mailing Address 2657-73, Imaizumi, Fuji-shi, Shizuoka, Japan |

第三以降の共同発明者についても同様に記載し、署名すること)

(Supply similar information and signature for third and subsequent joint inventors.)

Japanese Language Declaration (日本語宣言書)

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| 第三の共同発明者の氏名 | Full name of third joint inventor, If any Toshiki Nanya |
| 第三の共同発明者の署名 | Third inventor's signature |
| 日付 | Date |
| | <i>Toshiki Nanya</i> <i>December 4, 2003</i> |
| 住所 | Residence Shizuoka, Japan |
| 住所 | Citizenship Japanese |
| 郵便の宛先 | Mailing Address 40-1, Fujimidai, Mishima-shi, Shizuoka, Japan |

| | |
|-------------|--|
| 第四の共同発明者の氏名 | Full name of fourth joint inventor, If any Hiroto Higuchi |
| 第四の共同発明者の署名 | Fourth inventor's signature |
| 日付 | Date |
| | <i>Hiroto Higuchi</i> <i>December 3, 2003</i> |
| 住所 | Residence Shizuoka, Japan |
| 住所 | Citizenship Japanese |
| 郵便の宛先 | Mailing Address Semui Heights 101, 387-1, Ozuwa, Numazu-shi, Shizuoka, Japan |

| | |
|-------------|---|
| 第五の共同発明者の氏名 | Full name of fifth joint inventor, If any Shinichiro Yagi |
| 第五の共同発明者の署名 | Fifth inventor's signature |
| 日付 | Date |
| | <i>Shinichiro Yagi</i> <i>December 3, 2003</i> |
| 住所 | Residence Shizuoka, Japan |
| 住所 | Citizenship Japanese |
| 郵便の宛先 | Mailing Address 726-2, Shimokanukiyanagihara, Numazu-shi, Shizuoka, Japan |

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| 第六の共同発明者の氏名 | Full name of sixth joint inventor, If any Shigeru Emoto |
| 第六の共同発明者の署名 | Sixth inventor's signature |
| 日付 | Date |
| | <i>Shigeru Emoto</i> <i>December 3, 2003</i> |
| 住所 | Residence Shizuoka, Japan |
| 住所 | Citizenship Japanese |
| 郵便の宛先 | Mailing Address 1259-1, Higashishijji, Numazu-shi, Shizuoka, Japan |

第七以降の共同発明者についても同様に記載し、署名すること)

(Supply similar information and signature for seventh and subsequent joint inventors.)

Japanese Language Declaration (日本語宣言書)

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| 第七の共同発明者の氏名 | Full name of Seventh joint inventor, If any Tomoyuki Ichikawa |
| 第七の共同発明者の署名 | Seventh inventor's signature Date <i>Tomoyuki Ichikawa December 7, 2003</i> |
| 住所 | Residence Shizuoka, Japan |
| 住所 | Citizenship Japanese |
| 郵便の宛先 | Mailing Address Corpo Sugimoto 101, 19-14, Takazawa-cho, Numazu-shi, Shizuoka, Japan |

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|-------------|---|
| 第八の共同発明者の氏名 | Full name of Eighth joint inventor, If any Naohito Shimota |
| 第八の共同発明者の署名 | Eighth inventor's signature Date <i>Naohito Shimota December 8, 2003</i> |
| 住所 | Residence Shizuoka, Japan |
| 住所 | Citizenship Japanese |
| 郵便の宛先 | Mailing Address Bell Shine Takehara A-103, 344-6, Takehara, Nagaizumi-cho, Sunto-gun, Shizuoka, Japan |

| | |
|-------------|---|
| 第九の共同発明者の氏名 | Full name of Ninth joint inventor, If any Maiko Kondo |
| 第九の共同発明者の署名 | Ninth inventor's signature Date <i>Maiko Kondo December 5, 2003</i> |
| 住所 | Residence Shizuoka, Japan |
| 住所 | Citizenship Japanese |
| 郵便の宛先 | Mailing Address City Corpo Hondamachi 302, 1-36, Honda-machi, Numazu-shi, Shizuoka, Japan |

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|-------------|--|
| 第十の共同発明者の氏名 | Full name of Tenth joint inventor, If any Tadao Takikawa |
| 第十の共同発明者の署名 | Tenth inventor's signature Date <i>Tadao Takikawa December 8, 2003</i> |
| 住所 | Residence Aichi, Japan |
| 住所 | Citizenship Japanese |
| 郵便の宛先 | Mailing Address 13, Fujinami, Aza, Kawaji, Shinjo-shi, Aichi, Japan |

第十一以降の共同発明者についても同様に記載し、署名すること)

(Supply similar information and signature for eleventh and subsequent joint inventors.)